

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:24-CV-517-BO-BM

GLORIA RANGEL GONZALEZ,)
Plaintiff,)
)
v.)
)
DEPUTY REGINALD SEBERRY, in his)
official and individual capacities, and)
WAKE COUNTY SHERIFF'S OFFICE,)
Defendants.)

ORDER

This cause comes before the Court on the memorandum and recommendation of United States Magistrate Judge Brian S. Meyers. [DE 8]. Plaintiff has responded, and does not oppose the recommendation that defendant Wake County Sheriff's Office be dismissed, but requests an opportunity to amend the complaint. [DE 9].


"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (cleaned up) (emphasis omitted); *see also* 28 U.S.C. § 636(b)(1); Fed R. Civ. P. 72(b)(3). A party's objections must be made "with sufficient specificity so as reasonably to alert the district court of the true ground for the objection." *United States v. Midgette*, 478 F.3d 616, 622 (4th Cir. 2007). Where no specific objections have been filed, the court reviews for clear error only. *Dunlap v. TM Trucking of the Carolinas, LLC*, 288 F. Supp. 3d 654, 662 (D.S.C. 2017). On clear error review, the court has no obligation to explain its reasoning for adopting the recommendation. *Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983).

As plaintiff has not objected to the dismissal of the Wake County Sheriff's Office, the Court reviews the recommendation for clear error and finds none. The remainder of the recommendation further reveals no clear error, and thus the recommendation is adopted in its entirety. Plaintiff's request to amend the complaint to add a new party defendant is granted.

CONCLUSION

Accordingly, for the foregoing reasons, the memorandum and recommendation [DE 8] is ADOPTED. Defendant Wake County Sheriff's Office is DISMISSED. Plaintiff is permitted fourteen days from the date of entry of this order to file an amended complaint.

SO ORDERED, this 4 day of April 2025.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE